In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.60552-M of 2006

.....

Date of decision: 10.11.2006

Darshan Singh

.....Petitioner

v.

State of Punjab

.....Respondent

.....

Present: Mr. S.S. Grewal, Advocate for the petitioner.

Ms. Sonia M. Aggarwal, Assistant Advocate General, Punjab for the respondent-State.

.....

Learned counsel for the petitioner contends that the prosecution has been deliberately delaying the hearing of the case and despite assurance given in this Court they have not produced Head Constable Bhupinder Singh. It is contended that the petitioner is in custody since November 2003.

In response, learned Assistant Advocate General, Punjab, on instructions from ASI Sukhbir Singh, Police Station, Sadar, Ludhiana, submits that HC Bhupinder Singh has gone abroad and prosecution is giving him up and instead examining Constable Pawan Kumar. It is submitted that the case is now fixed before the learned trial Court on 15.11.2006 and apart from Constable Pawan Kumar no other witness remains to be examined.

Keeping in view the fact that the case is now at its fag end and only one witness i.e. Constable Pawan Kumar remains to be examined, it would not be appropriate to extend the concession of bail at this stage. ASI

Sukhbir Singh, Police Station, Sadar, Ludhiana, who is present in Court, shall ensure that Constable Pawan Kumar is present on the date fixed i.e. 15.11.2006 before the learned trial Court so that his statement is recorded.

Learned trial Court shall also take steps to record his statement and ensure the completion of the trial expeditiously and preferably within one month from 15.11.2006.

The criminal miscellaneous petition stands dismissed.

November 10, 2006. **(S.S. Saron)**
Judge

hsp